

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

COMM NET, Inc., a California Corporation,)	
)	
)	
Plaintiff,)	8:12CV336
)	
)	
V.)	
)	
)	
EMS, INC., a Nebraska Corporation, MITCH JOHNSON, and DOES 1 THROUGH 25, inclusive,)	ORDER
)	
)	
Defendants.)	
)	

Alessandro Assanti has moved to withdraw as counsel for Comm Net, Inc. ([filing 68](#)). Substitute counsel has not entered an appearance on Comm Net's behalf. Because this motion involves a corporation that cannot proceed *pro se*, an evidentiary hearing is necessary. *See Wilkinson Industries, Inc. v. Taylor's Indus. Services, LLC*, No. 8:06CV402, 2007 WL 1751739, *1 (D. Neb. June 18, 2007) (stating that a layperson may not represent a separate legal entity such as a corporation or limited liability company).

Accordingly,

IT IS ORDERED:

1. The motion to withdraw ([filing 68](#)) is set for evidentiary hearing on Monday, April 28, 2014, at 10:30 a.m., Courtroom 6, Roman L. Hruska U.S. Courthouse, 111 S. 18th Plaza, Omaha, Nebraska.
2. Comm Net, Inc.'s corporate representative(s) is required to attend the hearing.
3. Alessandro Assanti shall immediately serve a copy of this Order on Comm Net, Inc. via email, as well as by certified U.S. mail, return receipt requested.

4. Mr. Assanti shall file a certificate of service showing compliance with Paragraph 3 above.
5. The parties are advised that the evidentiary hearing will not be necessary and will be cancelled if Comm Net retains substitute counsel and substitute counsel enters a written appearance by the close of business on April 27, 2014. If substitute counsel is obtained, Mr. Assanti shall promptly advise the Court.

DATED April 21, 2014.

BY THE COURT:

S/ F.A. Gossett
United States Magistrate Judge